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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

Mei L. Wang, Michael Y. J. Wang, Chun Fang Wang,

Plaintiffs,

v.

CYR International, Inc., Chew Young Roo America, Inc.,
 CYR USA, Inc., Chew Young Roo, Inc., Chew Young Roo,
 Chew Young Roo, Eun Chan Lim,

Defendants.

Civil Action No.:

07 CV 05462 (BSJ) (FM)

SCHEDULING ORDER

1. **IN ACCORDANCE WITH FED. R. CIV. P. 16(A), THE FOLLOWING COUNSEL WILL APPEAR ON OCTOBER 19, 2007 AT 10:30 A.M. IN COURTROOM 20A, 500 PEARL STREET NEW YORK, NEW YORK BEFORE THE HONORABLE MAGISTRATE JUDGE FRANK MAAS FOR AN INITIAL CASE MANAGEMENT CONFERENCE:**

Dariusz Keyhani, Esq. of Meredith & Keyhani, PLLC 330 Madison Avenue 6th Floor New York, New York 10017 (212) 760-0098 will appear on behalf of the plaintiffs Mei L. Wang, Michael Y. J. Wang, and Chun Fang Wang ("Plaintiffs").

Daniel T. Hughes, Esq. of Litchfield Cavo LLP 420 Lexington Ave. Suite 2104 New York, NY 10170 (212) 434-0100 will appear on behalf of the defendants CYR International, Inc., Chew Young Roo America, Inc., CYR USA, Inc., Chew Young Roo, Inc., and Eun Chan Lim.

2. **A CONCISE STATEMENT OF THE ISSUES IN THIS CASE:**

This is a federal question subject matter case involving claims of trademark infringement and related claims under the Lanham Act, common law trademark infringement and unfair competition, and dilution and intent to deceive under New York General Business law. The Plaintiffs allege that the Defendants have infringed Plaintiffs' registered trademark Chu Ying Lo for restaurant, dinning and catering services by opening restaurants in California, New York, New Jersey, and Pennsylvania that incorporate the mark "Chew Young Roo" which is the English phonetic for "Chu Ying LO" when pronounced in Korean (Hangul) and recognized as

one and the same by Plaintiffs' customers dining and catering Chinese and Korean-Chinese food. Defendants deny these allegations.

Counsel Dariush Keyhani, Esq. for the Plaintiffs and Daniel T. Hughes, Esq. for defendants CYR International, Inc., Chew Young Roo America, Inc., CYR USA, Inc., Chew Young Roo, Inc., and Eun Chan Lim and have conferred pursuant to Rule 26(f) and propose the following schedule and the stipulations:

3. JOINT PROPOSED DISCOVERY SCHEDULE

<u>Date</u>	<u>Deadline</u>
December 21, 2007	Any additional parties shall be joined.
January 18, 2008	All documents shall be produced
February 22, 2008	Parties to serve expert reports on all issues as to which they have the burden of proof
March 14, 2008	Parties to serve rebuttal expert reports
March 28, 2008	Expert depositions to be completed
April 18, 2008 at 2:00 p.m.	Settlement Conference with the Court shall be held in Courtroom 20A.

The names of people to be deposed will be determined at a later time.

4. LIMITATIONS TO BE PLACED ON DISCOVERY:

- a. The parties will agree to a joint protective order/confidentiality agreement;
- b. The parties stipulate that the service of documents not required to be filed with the Court via the ECF system shall be made electronically via e-mail with .pdf attachments;

5. DISCOVERY ISSUES THAT COUNSEL WERE NOT ABLE TO RESOLVE IN GOOD FAITH:

None;

6. ANTICIPATED FIELDS OF EXPERT TESTIMONY:

The parties may retain experts on trademark consumer confusion and expert market surveys of consumer confusion as well as damages experts, but the specifics will be determined at a later time;

7. ANTICIPATED LENGTH OF TRIAL:

A trial by jury has been demanded by the Plaintiffs, but the length of the trial will be determined at a later time;

8. **THE PARTIES HEREBY AGREE THAT THE SCHEDULING ORDER MAY BE ALTERED OR AMENDED ONLY ON A SHOWING OF GOOD FAITH NOT FORESEEABLE AT THE TIME OF THE CONFERENCE OR WHEN JUSTICE SO REQUIRES.**

So Ordered on this October 19, 2007.



Frank Maas
United States Magistrate Judge